

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

01-R-0369

**A RESOLUTION AUTHORIZING THE SETTLEMENT
OF ALL CLAIMS RESULTING FROM THE CASE OF
JAMES H. JACKSON V. CITY OF ATLANTA,
MAGISTRATE COURT OF FULTON COUNTY,
CIVIL ACTION FILE NO. 00-MS-001196, IN AN AMOUNT
NOT TO EXCEED \$1,000.00; AUTHORIZING THE
CHIEF FINANCIAL OFFICER TO DISBURSE THE
SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

WHEREAS, James H. Jackson v. City of Atlanta, Civil Action File No. 00-MS-001196, is a case in which the City of Atlanta is named as a Defendant;

WHEREAS, the Plaintiff alleges that he suffered loss of property value to his vehicle as the result of a collision with a vehicle owned and operated by the City of Atlanta and/or its agents;

WHEREAS, the Plaintiff has agreed to accept \$1,000.00 in settlement of all claims against the City of Atlanta;

WHEREAS, the City Attorney has done a review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claim is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$1,000.00 to settle all claims,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of James H. Jackson v. City of Atlanta for an amount not to exceed One Thousand Dollars (\$1,000.00).

SECTION 2. The Chief Financial Officer is authorized to pay a total amount not to exceed \$1,000.00 to Plaintiff in this case from Account No. 1A01-529017-T31001.

IN THE MAGISTRATE COURT OF FULTON COUNTY
STATE OF GEORGIA

JAMES H. JACKSON,)	
Plaintiff,)	
)	CIVIL ACTION FILE
v.)	
)	NO. 00-MS-001196
CITY OF ATLANTA,)	
Defendant.)	

GENERAL RELEASE AND INDEMNIFICATION

IN CONSIDERATION of the sum **ONE THOUSAND DOLLARS** (\$1,000.00), to be paid to **JAMES H. JACKSON** by the **CITY OF ATLANTA**, the receipt of which is hereby acknowledged, **JAMES H. JACKSON** does hereby, for himself, his heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of an automobile accident on or about the 7th day of January 1998, near the intersection of J.W. Dobbs street and Howell street, Atlanta, Georgia, which is the subject of a civil action entitled *James Jackson v. the City of Atlanta, Georgia* pending in the Magistrate Court of Fulton County, Georgia, Civil Action File No. 00-MS-001196.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further

covenants and agree to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs (including but not limited to compensatory damages, special damages, punitive damages, and attorneys fees) which the said City of Atlanta, its officers, agents, servants and employees, could or have been called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause us to sign this release, and that I fully understand the meaning and intent of this instrument. Finally, upon receipt of the foregoing consideration, I expressly agree to dismiss with prejudice the above-entitled civil action.

WITNESS my hand and seal this _____ day of _____, 2001.

JAMES H. JACKSON

The above release was read to, explained to, and signed by James H. Jackson in my presence on the date above written.

Agent for Plaintiff

WITNESS